

COMMITTEE AMENDMENT FORM

DATE: 05/30/07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #07-O-0635 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING THREE (3) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 05/30/07

Conditions for U-07-04 for 51 Polar Rock Road, S.E.

1. The maximum number of children shall be 150.
2. The hours of operation shall be from 6:30 a.m. until 6:30 p.m. Monday through Friday, and from 9 a.m. until 3 p.m. on Saturday.
3. The special use permit for a day care center shall be valid only as long as Deke D. Cooper is the applicant/operator and for a period of two years from the date of approval of the ordinance.

City Council
Atlanta, Georgia

07-0-0635
U-07-04

AN ORDINANCE
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of **Section** 16.07.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **DAY CARE CENTER**, is hereby approved. Property is located at **51 Polar Rock Road, S.W. (also addressed as 2119 Polar Rock Road, S.W.** Said use is granted to **DEKE D. COOPER** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 71, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

SUBJECT 14

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 70 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHWESTERLY SIDE OF POLAR ROCK ROAD WITH THE NORTH LINE OF LAND LOT 70; RUNNING THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY SIDE OF POLAR ROCK ROAD, ONE HUNDRED FIFTY FIVE AND SEVEN-TENTHS (155.7) FEET; RUNNING THENCE WEST, THREE HUNDRED FIVE (305) FEET TO A POINT; RUNNING THENCE NORTH, ONE HUNDRED FORTY (140) FEET TO THE NORTH LINE OF LAND LOT 70; RUNNING THENCE EAST ALONG THE NORTH LINE OF LAND LOT 70, THREE HUNDRED SIXTY FIVE (365) FEET TO THE NORTHWESTERLY SIDE OF POLAR ROCK ROAD AND THE POINT OF BEGINNING; BEING IMPROVED PROPERTY AND HAVING A HOUSE LOCATED THEREON KNOWN AS NO. 55 POLAR ROCK ROAD, S.E., ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA, GEORGIA.

14-70-10-16-0

AND

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 71 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHWESTERLY SIDE OF POLAR ROCK ROAD WITH THE SOUTH LINE OF LAND LOT 71; RUNNING THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY SIDE OF POLAR ROCK ROAD, ONE HUNDRED EIGHTY FIVE (185) FEET TO THE SOUTHWESTERLY SIDE OF MACON DRIVE; RUNNING THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY SIDE OF MACON DRIVE, THREE HUNDRED EIGHTY FIVE (385) FEET, MORE OR LESS, TO THE INTERSECTION FORMED BY THE SOUTHWESTERLY SIDE OF MACON DRIVE WITH THE SOUTHWESTERLY SIDE OF MACON TERRACE; RUNNING THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY SIDE OF MACON TERRACE, TWO HUNDRED SEVENTY FIVE (275) FEET, MORE OR LESS; RUNNING THENCE SOUTH, FIVE HUNDRED FOURTEEN (514) FEET TO THE SOUTH LINE OF LAND LOT 7; RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID LAND LOT, FOUR HUNDRED FIFTY THREE (453) FEET, MORE OR LESS, TO THE NORTHWESTERLY SIDE OF POLAR ROCK ROAD AND THE POINT OF BEGINNING; BEING IMPROVED PROPERTY AND HAVING A CHURCH BUILDING LOCATED THEREON; EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONDEMNED BY THE STATE HIGHWAY DEPARTMENT OF GEORGIA IN FULTON COUNTY SUPERIOR COURT SUIT B-13782 VERSUS MACON DRIVE BAPTIST CHURCH, INC., AND ALSO EXCEPT THE RIGHTS TO A DRAINAGE EASEMENT CONDEMNED BY THE STATE HIGHWAY DEPARTMENT OF GEORGIA IN A CONDEMNATION SUIT, FULTON COUNTY SUPERIOR COURT SUIT B-13782 VERSUS MACON DRIVE BAPTIST CHURCH, INC.

14-71-1-65-7

#25852 REC 11

U-07-04

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PLANNING

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4/16/07
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Atlanta City Council

REGULAR SESSION

0635

MULTIPLE

07-O-0602,0571,0599,0626-0638,0642

REFER ZRB/ZONE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	E Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	NV Norwood
Y Young	Y Shook	Y Maddox	NV Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE